

**From:** James Bayer  
**To:** Microsoft ATR  
**Date:** 1/23/02 10:51am  
**Subject:** Microsoft Settlement

To whom it may concern,

I am 25 year old software developer. I feel that the outcome of the proposed Microsoft Settlement will directly impact my career for many years to come, and therefore I have a responsibility to voice my concerns about the settlement.

I do not like the terms of the settlement. I do not think that as they are written, that the terms will preclude Microsoft from behaving in a monopolistic manner or benefit the end consumer.

The most glaring problems I see with the settlement are in the terms that are designed to help remove the barriers to entry in the marketplace by providing additional information about the way Windows works. A more stringent standard than is being proposed by the final judgment will be necessary to meet the goal of having ISV successfully utilize the Windows APIs. Microsoft should be required to update documentation to ISVs whenever the API requirements change. Currently, the final judgment says that Microsoft has to notify ISVs seven months in advance of a new release, but not keep them up to date about changes. Additionally, many APIs under the current final judgment will remain undocumented because of the narrow Microsoft "Middleware Product" and "API" definitions.

By making the APIs more accessible to ISVs, consumers will benefit with more choice of platforms which to run their software and more software to choose from. I sincerely hope that the problems with the current final judgment, specifically the Windows API portions are addressed.

Thank you,

James Bayer  
jambay@yahoo.com  
844 W. Grace St.  
Apt. G  
Chicago, IL 60613  
773-755-8129

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